



Application No.: 10/692,423
Response to Office Action of November 10, 2004
Attorney Docket: EWMRI-001B

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Feng Wu Wen)	Confirmation No.	8370
)		
Serial No.:	10/692,423)	Art Unit:	1651
)		
Filed:	October 23, 2003)	Examiner:	Herbert J. Lilling
)		
For:	ANTIHISTAMINE COMPOSITION)		
)		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the Office Action dated November 10, 2004, which required restriction between the following groups of claims:

I. Claims 1-17 and 33, drawn to a process for deriving an extract from Loranthus, classified in class 424, subclass 769.

II. Claims 18-19, drawn to extract(s), classified in numerous classes depending upon the extract per se, which is obtained from the extract, which includes quercetin, avicularin and compositions, numerous subclasses depending upon the extract per se.

III. Claims 20-31 and 34, drawn to a method of treating an allergic reaction in a human subject, classified in class 424 or 514, depending upon the compound or composition, numerous subclasses depending upon the compound or composition.

IV. Claims 32 and 35, drawn to an antihistamine composition comprising at least one compound selected from the group consisting of quercetin and avicularin, classified in Class 514, subclass depending upon the compound or composition.

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By this response, Applicant hereby elects, without traverse, to proceed with prosecution of claims in Group 1, namely, Claims 1-17 and 33.

To the extent the Examiner has any questions, requires additional information, or has any suggestions for expediting prosecution of this case, he is invited to contact Applicant's counsel at the telephone number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 11/19/04

By:



Customer No.: 007663

Matthew A. Newboles
Registration No. 36,224
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Telephone: (949) 855-1246
Fax: (949) 855-6371

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Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/692,423
Filing Date	OCTOBER 23, 2003
First Named Inventor	FENG WU WEN
Art Unit	1651
Examiner Name	HERBERT J. LILLING
Attorney Docket Number	EWMRI-001B

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	*Please charge any additional fees or credit any overpayment to Deposit Account No. 19-4330.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Response to Restriction Requirement; Certificate of Mailing; Return Receipt Postcard	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MATTHEW A. NEWBOLES STETINA BRUNDA GARRED & BRUCKER
Signature	
Date	11/19/04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Washington, DC 20231 on this date:

Typed or printed name	LINDA JOHNSON		
Signature		Date	11-19-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ATTORNEY DOCKET NO: EWMRI-001B
TITLE: ANTIHISTAMINE COMPOSITIONS

SERIAL NO.: 10/692,423

FILED: OCTOBER 23, 2003

Certificate of Mailing under 37 CFR 1.8 or 37 CFR 1.10

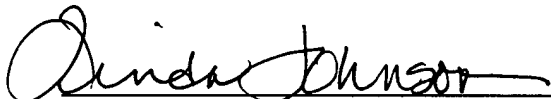
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on November 19, 2004


(Signature)

LINDA JOHNSON

(Typed name of person signing certificate)

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